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| 09/674,887      | 01/30/2001  | Ikuo Tsukagoshi      | SONYJP-105          | 5375             |

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EXAMINER

DIEP, NHON THANH

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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2613

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/674,887

Applicant(s)

TSUKAGOSHI ET AL.

Examiner

Nhon T. Diep

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3,4 and 8-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 3,4 and 8-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 07 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 4 is objected to because of the following informalities: Regarding claim 4, ln. 1-5, it is considered the claim is directed to a statutory subject matter; however, it is suggested changing the claim to read " A computer readable storage medium storing a computer program for causing a digital video signal processing apparatus to execute decoding operation, the program comprising:" to more closely follow languages suggested by the court. Appropriate correction is required.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 3-4 and 8-10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frencken (US 6,008,849), in view of Hendricks et al (US 6,201,536).

Frencken discloses a method and system for decoding coded video signal comprising the same a digital signal processing method comprising inputting an encoded digital video signal (col. 7, ln. 33-36); decoding the encoded digital video signal in a decoding operation to thereby generate a decoded digital video signal as a plurality

of frames (fig. 10(b)); storing the decoded digital video signal in a buffer as data corresponding to the plurality of frames (fig. 10(b): pictures to be displayed); wherein if the decoding operation on the encoded digital video signal is not completed within one frame period, the decoding operation is continued in the following frame period (this limitation is inherently included since the encoded digital video signal contains more than 1 frame as recited in the third limitation of claim 3 “decode the encoded digital video signal in a decoding operation to thereby generate a decoded digital video signal as a plurality of frames” and because the encoded video signal contains more than 1 frame, the decoding operation on the encoded digital video signal is not completed within one frame period, then it has to continue in the following frame period) as specified in claims 3-4 and 8. It is noted that Frencken does not particularly disclose that the decoding process is performed by software with associated steps of accessing a decoding program for decoding the encoded digital signal from a program memory and executing the decoding program to decode the encoded digital video signal and storing management data in a FIFO format, the management data indicating an output order of the plurality of frames. Hendricks et al teaches a network management central processing unit (CPU), data bases, control software and instruction memory (which stores computer program instructions that may be executed by the network management CPU) for processing the decoding of MPEG decoders 250. Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of Frencken et al by using computer software in

decoding encoded video signal as taught by Hendricks et al. Doing so would help to expedite the decoding process.

With regard to the step of storing management data in a FIFO format, the management data indicating an output order of the plurality of frames as specified in claim 3-4 and 8; the buffer means comprising a plurality of buffer areas, and the management data indicating the output order of the plurality of frames comprises management identifiers of the plurality of buffer areas as specified in claim 9; and the management data is stored in the FIFO means in the output order of the plurality of frames () as specified in claim 10: Since fig. 10(a) shows a sequence of pictures to be decoded and fig. 10(b) shows pictures to be displayed and these two picture are different. Therefore, it would have been obvious that there has to be a management data indicating an output order of the plurality of frames to be displayed so they can be arranged as such and it would also been obvious that the order of displayed would have been used instead of shuffling memory buffer around and also, Frencken et al does teach FIFO format (col. 7, ln. 33-36).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Taniguchi (US 6,339,669) discloses a picture-reproducing apparatus.

b.. Takabatake et al (US 6,490,058) discloses an image decoding and display device.

c. Takabatake et al (US 6,320,909) discloses a picture decoding and display unit including a memory having reduced storage capacity for storing pixel data.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2613

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ND  
8/3/2005



**NHON DIEP**  
**PRIMARY EXAMINER**